

# DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors believe they are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **SYSTEM AND METHOD FOR FACILITATING CARDIAC INTERVENTION**, the specification of which:

☐ is attached herewith.

☒ was filed on January 30, 2003 as Application Serial No. 10/354,884.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## PRIOR FOREIGN APPLICATION(S)

			<u>Priority Claimed</u>
N/A			Yes/No
(Number)	(Country)	(Date Filed)	
N/A			Yes/No
(Number)	(Country)	(Date Filed)	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

10/135,465	April 30, 2002	Pending
(Application Serial No.)	(Filing Date)	(Status)
N/A		Pending
(Application Serial No.)	(Filing Date)	(Status)

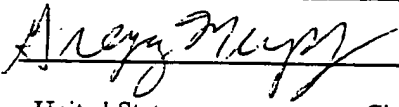
I hereby claim the benefit under title 35, United States code §119(e) of any United States provisional application(s) listed below:


<u>60/288,173</u> (Application Serial No.)	<u>April 30, 2001</u> (Filing Date)
<u>60/307,218</u> (Application Serial No.)	<u>July 20, 2001</u> (Filing Date)
<u>60/318,024</u> (Application Serial No.)	<u>September 7, 2001</u> (Filing Date)
<u>60/357,559</u> (Application Serial No.)	<u>February 15, 2002</u> (Filing Date)

Please direct all communications as follows:

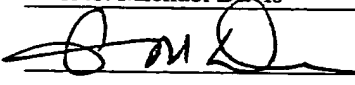
Eric B. Meyertons  
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. Box 398  
Austin, Texas 78767-0398  
Ph: (512) 853-8800

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Gregory Murphy  
Inventor's Signature:  Date: 4/23/03  
Country of Residence: United States Citizenship: United States  
Residence Address: 4813 Red Fox Drive, Annandale, VA 22033  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Mitta Suresh  
Inventor's Signature:  Date: 4/22/03  
Country of Residence: United States Citizenship: India  
Residence Address: 3201 Tam O'Shanter Lane, Richardson, TX 75080  
(Include number, street name, city, state and zip code)

Inventor's Full Name: Albert Michael Davis

Inventor's Signature:  Date: 4/23/03

Country of Residence: United States Citizenship: United States

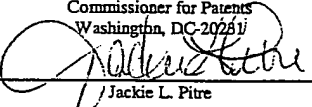
Residence Address: 304 Arborcrest Drive, Richardson, TX 75080  
(Include number, street name, city, state and zip code)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/354,884  
 Filed: January 30, 2003  
 Inventor(s):  
 Murphy et al.

Examiner: Unknown  
 Group/Art Unit: 3762  
 Atty. Dkt. No: 5838-00201

Title: SYSTEM AND METHOD  
 FOR FACILITATING  
 CARDIAC  
 INTERVENTION

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8  DATE OF DEPOSIT: 6-9-03  I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Commissioner for Patents Washington, DC 20231  Jackie L. Pitre
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**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73**  
**AND POWER OF ATTORNEY**

Commissioner for Patents  
 Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints (1) the practitioners at Customer Number 35690, and (2):

Mark K. Brightwell	Reg. No. 47,446
Brenna A. Brock	Reg. No. 48,509
Kay A. Colapret	Reg. No. 52,759
Steve J. Curran	Reg. No. 50,664
Mark R. DeLuca	Reg. No. 44,649
Erik A. Heter	Reg. No. 50,652
Russell Henrichs	Reg. No. 50,354
Jeffrey C. Hood	Reg. No. 35,198
B. Noël Kivlin	Reg. No. 33,929
Robert C. Kowert	Reg. No. 39,255
Mark Lupkowski	Reg. No. 49,010
Lawrence J. Merkel	Reg. No. 41,191
Eric B. Meyertons	Reg. No. 34,876
Jason L. Moore	Reg. No. 52,046

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Neal E. Persky	Reg. No. 53,452
Liza Philip	Reg. No. 51,352
David W. Quimby	Reg. No. 39,338
Rory D. Rankin	Reg. No. 47,884
Gareth Sampson	Reg. No. 52,191
Chris Thompson	Reg. No. 43,188
Mark S. Williams	Reg. No. 50,658

each an attorney or agent of the firm of MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.


Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Chase Medical, Inc., referenced below, and certify that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Eric B. Meyertons, Esq.  
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TEXAS 78767-0398  
(512) 853-8888 (voice)  
(512) 853-8801 (facsimile)

ASSIGNEE:

CHASE MEDICAL, INC.

By: 

Title: VICE-PRESIDENT, RESEARCH  
A DEVELOPMENT

Date: 4/24/02

ASSIGNMENT: x Enclosed for recording

## PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Gregory Murphy  
Mitta Suresh  
Albert Michael DavisAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: Chase Medical, Inc.  
Street Address: 1876 Firman Drive  
City: Richardson State: TX ZIP: 75081Additional name(s) and addresses attached? ☐ Yes ☒ No

## 3. Nature of conveyance

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Date: April 23, 2003

## 4. Application number(s) or patent numbers:

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s):

10/354,884 filed January 30, 2003

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Eric B. Meyertons  
Meyertons, Hood, Kivlin, Kowert & Goetzel  
P.O. Box 398  
Austin, Texas 78767-03986. Total number of applications and patents involved: 17. Total Fee (37 C.F.R. § 3.41): \$40.00

- ☒ Fee Authorization Form Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit Account No.: 50-1505/5838-00201/EBM

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature:

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Eric B. Meyertons  
Reg. No. 34,876

Signature

Date

Total number of pages including cover sheet, attachments and documents: 4

**ASSIGNMENT**

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to Chase Medical, Inc. (the "Assignee"), having a place of business at 1876 Firman Drive, Richardson, Texas 75081, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 10/354,884 filed on January 30, 2003, and is entitled **"SYSTEM AND METHOD FOR FACILITATING CARDIAC INTERVENTION"**, such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT that, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for securing, maintaining and enforcing proper patent protection for such improvements and for vesting title to such improvements in the Assignee;

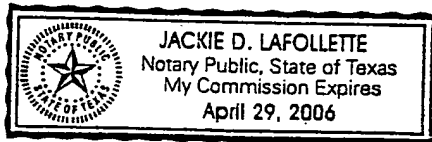
TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

(Signature) *Gregory Murphy*  
Name: Gregory Murphy

Date: 4-23-03

BEFORE ME, the undersigned authority, on this 23<sup>rd</sup> day of APRIL, 2003, personally appeared Gregory Murphy, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



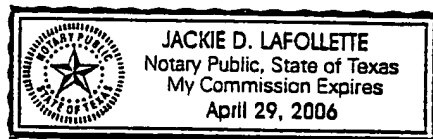
*Jackie D. LaFollette*  
Notary or Consular Officer

(Signature) *Mitta Suresh*  
Name: Mitta Suresh

Date: 4/23/03

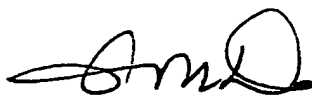
BEFORE ME, the undersigned authority, on this 23<sup>rd</sup> day of APRIL, 2003, personally appeared Mitta Suresh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



*Jackie D. LaFollette*  
Notary or Consular Officer

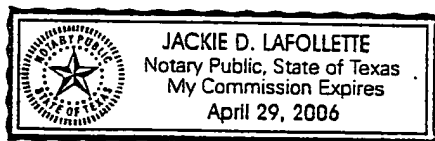


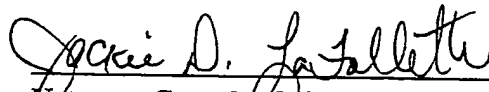
(Signature)   
Name: Albert Michael Davis

Date: 4/23/03

BEFORE ME, the undersigned authority, on this 23<sup>rd</sup> day of APRIL, 2003, personally appeared Albert Michael Davis, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]



  
Notary or Consular Officer

ERIC B. MEYERTONS  
MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.  
P.O. BOX 398  
AUSTIN, TX 78767-0398